

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

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August 21, 2006

Robert C. Heinemann, Clerk
130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT ED. N.Y.
★ SEP - 1 2006 ★
P.M. _____
TIME A.M. _____

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation
Re: MDL-1769 -- In re Seroquel Products Liability Litigation

Dianne M. Theodorou v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 3:06-1483
Denise L. Outlaw v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 3:06-1857
Bridgette R. Jones v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 4:06-1485
Carol Harris, etc. v. Eli Lilly & Co., E.D. Texas, C.A. No. 5:06-104

Dear Mr. Heinemann:

Three separate orders were filed by the Panel today in the above-captioned matter. Enclosed is a certified copy and one additional copy of each of the three orders lifting stay of CTO-61 in respect to MDL-1596. The orders are directed to you for filing.

Enclosed is a list of involved counsel

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By *Dana L. Stewart*
Deputy Clerk

Enclosures

cc: Transferee Judges: Judge Jack B. Weinstein; Judge Anne C. Conway
Transferor Judges: Judge Sandra Brown Armstrong, Judge Jeffrey S. White, Judge T. John Ward
Transferor Clerk: David J. Maland, Richard W. Wiekling

AUG 21 2006

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DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1596 – IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

MDL-1769 – IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

Dianne M. Theodorou v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California,
C.A. No. 3:06-1483

Denise L. Outlaw v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California,
C.A. No. 3:06-1857

**ORDER VACATING CTO-3 IN MDL-1769 AND
LIFTING STAY OF CTO-61 IN MDL-1596**

On August 2, 2006, the Panel filed an order conditionally i) transferring these two actions (*Theodorou* and *Outlaw*) to the Eastern District of New York in MDL-1596, ii) separating the Seroquel claims and remanding them to the Northern District of California, and iii) transferring the resulting Seroquel actions to the Middle District of Florida in MDL-1769. In the absence of any opposition, this order is now ripe for finalization. The Panel, however, has been advised that the Seroquel claims in *Theodorou* and *Outlaw* were dismissed in the Northern District of California by the Honorable Jeffery S. White in separate orders filed on July 18, and July 19, 2006, respectively. Accordingly, *Theodorou* and *Outlaw* in their present posture are appropriate for transfer in their entirety to the Eastern District of New York for inclusion in MDL-1596.

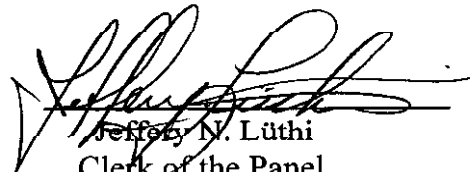
IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-3" in MDL-1769 (with prior separation and remand of Seroquel claims), filed on August 2, 2006, is VACATED insofar as it relates to these actions.

IT IS FURTHER ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-61" in MDL-1596 is LIFTED insofar as it relates to these actions, and thus the actions are transferred in their entirety to the Eastern District of New York for inclusion in

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the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Jack B. Weinstein.

FOR THE PANEL:



Jeffrey N. Lüthi
Clerk of the Panel

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 21 2006

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DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**MDL-1596 – IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION
MDL-1769 – IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

Bridgette R. Jones v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California,
C.A. No. 4:06-1485

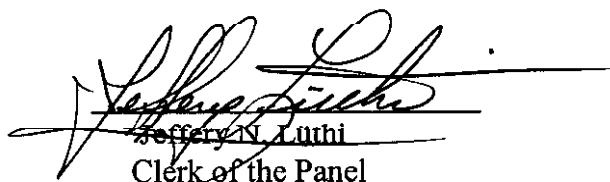
**ORDER LIFTING STAY OF CTO-61 IN MDL-1596 AND
CONTINUING STAY OF CTO-3 IN MDL-1769**

On August 2, 2006, the Panel filed an order conditionally i) transferring this action (*Jones*) to the Eastern District of New York in MDL-1596, ii) simultaneously separating the Seroquel claims and remanding them to the Northern District of California, and iii) then transferring the resulting Seroquel action to the Middle District of Florida for inclusion in MDL-1769. The Panel has received a notice of opposition pertaining only to the transfer of the resulting Seroquel action to the Middle District of Florida. Accordingly, in its current posture, *Jones* is appropriate for i) Section 1407 transfer to the Eastern District of New York for inclusion in MDL-1596, and ii) simultaneous remand of the Seroquel claims to the Northern District of California.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-61" in MDL-1596 is LIFTED insofar as it relates to i) transfer of this action to the Eastern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted in MDL-1596 by the Honorable Jack B. Weinstein, and ii) remand of the Seroquel claims to the Northern District of California.

IT IS FURTHER ORDERED that the Panel's conditional transfer order designated as "CTO-3" in MDL-1769, filed on August 2, 2006, continues to be STAYED insofar as it relates to transfer of the resulting Seroquel action to the Middle District of Florida.

FOR THE PANEL:


Jeffrey N. Luthi
Clerk of the Panel

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MULTIDISTRICT LITIGATION

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DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1596 – IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

MDL-1769 – IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

Carol Harris, etc. v. Eli Lilly & Co., E.D. Texas, C.A. No. 5:06-104

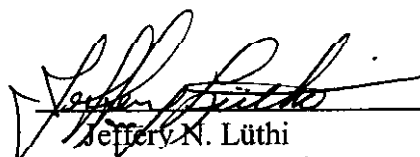
**ORDER LIFTING STAY OF CTO-61 IN MDL-1596 AND
CONTINUING STAY OF CTO-3 IN MDL-1769**

On August 2, 2006, the Panel filed an order conditionally i) transferring this action (*Harris*) to the Eastern District of New York in MDL-1596, ii) simultaneously separating the Seroquel claims and remanding them to the Eastern District of Texas, and iii) then transferring the resulting Seroquel action to the Middle District of Florida for inclusion in MDL-1769. The Panel has received a notice of opposition pertaining only to the transfer of the resulting Seroquel action to the Middle District of Florida. Accordingly, in its current posture, *Harris* is appropriate for i) Section 1407 transfer to the Eastern District of New York for inclusion in MDL-1596, and ii) simultaneous remand of the Seroquel claims to the Eastern District of Texas.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-61" in MDL-1596 is LIFTED insofar as it relates to i) transfer of this action to the Eastern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted in MDL-1596 by the Honorable Jack B. Weinstein, and ii) remand of the Seroquel claims to the Eastern District of Texas.

IT IS FURTHER ORDERED that the Panel's conditional transfer order designated as "CTO-3" in MDL-1769, filed on August 2, 2006, continues to be STAYED insofar as it relates to transfer of the resulting Seroquel action to the Middle District of Florida.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel